

## Message Text

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PAGE 01 STATE 265419

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FM SECSTATE WASHDC

TO USMISSION IAEA VIENNA PRIORITY

C O N F I D E N T I A L STATE 265419

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E.O. 11652: GDS

TAGS: TECH, IAEA, IS, EG

SUBJECT: INFORMATION REQUIRED BY THE U.S. RELATING TO THE  
IMPLEMENTATION OF SAFEGUARDS IN ISRAEL AND EGYPT

REF: DEVINE-LABOWITZ TELCON OF OCTOBER 21, 1976

1. AS MISSION IS AWARE, THE ACCOMPANYING NOTES TO PROPOSED  
NUCLEAR POWER AGREEMENTS WITH ISRAEL AND EGYPT CONTAIN  
IDENTICAL SENTENCES READING AS FOLLOWS:

"WITH RESPECT TO ARTICLE XII, PARAGRAPH A, THE GOVERN-  
MENT OF THE UNITED STATES OF AMERICA UNDERSTANDS THAT, AT  
SUCH TIME AS THE SAFEGUARDS RIGHTS ACCORDED TO THE GOVERN-  
MENT OF THE UNITED STATES ARE SUSPENDED, DURING SUCH  
SUSPENSION THE GOVERNMENT OF (ISRAEL/ARAB REPUBLIC OF  
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PAGE 02 STATE 265419

EGYPT) WILL AUTHORIZE THE INTERNATIONAL ATOMIC ENERGY

AGENCY TO MAKE AVAILABLE TO THE GOVERNMENT OF THE UNITED STATES OF AMERICA REQUESTED INFORMATION ON THE IMPLEMENTATION OF THE APPLICABLE SAFEGUARDS AGREEMENT WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY."

WE ANTICIPATE THAT SIMILAR UNDERSTANDINGS WILL ACCOMPANY ALL FUTURE NEW OR AMENDED U.S. AGREEMENTS FOR COOPERATION. THE ISRAELI-EGYPTIAN AGREEMENTS ARE STILL UNDERGOING

WHITE HOUSE REVIEW AND WERE NOT SUBMITTED TO CONGRESS DUE, IN PART, TO THE FACT THAT THERE WAS NO POSSIBILITY THAT THEY COULD BE BROUGHT INTO FORCE DURING THE JUST CONCLUDED CONGRESSIONAL SESSION. NEVERTHELESS, WE BRIEFED SEVERAL CONGRESSIONAL COMMITTEES ON THE AGREEMENTS AND IN THE COURSE OF DISCUSSIONS ON THE HOUSE SIDE WE WERE POINTEDLY ASKED WHETHER DETAILED UNDERSTANDINGS HAD BEEN DEVELOPED WITH THE IAEA SECRETARIAT CONCERNING THE NATURE AND TIMING OF THE INFORMATION THAT WE WOULD EXPECT TO RECEIVE PURSUANT TO THE PROVISIO NOTED ABOVE. ALTHOUGH WE EXPRESSED CONFIDENCE THAT SUITABLE ARRANGEMENTS COULD BE DEVELOPED AND RECOGNIZE THAT ANY FORMAL ARRANGEMENTS WOULD BE CONTINGENT UPON THE ENTRY INTO FORCE OF THE AGREEMENTS WE ANTICIPATE THAT THIS QUESTION COULD ARISE AGAIN DURING THE OCCASION OF THE FORTHCOMING SENATORIAL NUCLEAR TEAM VISIT TO VIENNA ENROUTE TO THE MID-EAST.

2. ACCORDINGLY, THE MISSION IS REQUESTED TO PROMPTLY RAISE THIS SUBJECT WITH THE SECRETARIAT ON AN INFORMAL BASIS SEEKING CONFIRMATION THAT ONCE THE FORMAL UNDERSTANDINGS ARE CONCLUDED THE IAEA WOULD PERCEIVE NO OBJECTIONS TO PROVIDING US WITH TIMELY INFORMATION PERTAINING TO THE EFFECTIVENESS AND MANNER IN WHICH SAFEGUARDS ARE APPLIED TO EGYPT AND ISRAEL PURSUANT TO PROPOSED NEW AGREEMENTS INCLUDING THE FOLLOWING:

-- ALL RELEVANT ASPECTS OF THE INFORMATION THE IAEA OBTAINS BOTH PURSUANT TO THE NEGOTIATED FACILITY ATTACHMENTS AS WELL AS THROUGH ACTUAL SAFEGUARDS IMPLEMENTATION INCLUDING RELEVANT EXTRACTS FROM INSPECTION REPORTS (WE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 265419

WOULD NEED TO KNOW VERIFIED MATERIAL ACCOUNTANCY DATA, INCLUDING AMOUNTS, FORM AND LOCATION OF MATERIAL, PLUS THE FREQUENCY OF INSPECTIONS, THEIR SCOPE, REACTOR POWER LEVELS, PERIODS OF REACTOR OPERATION AND THE LIKE SO WE COULD RAISE PERTINENT QUESTIONS, WHERE NECESSARY, FOR ADDITIONAL INFORMATION.

-- TIMELY INFORMATION CONCERNING ANY SERIOUS DIFFICUL-

TIES IN IMPLEMENTATION THAT THE AGENCY MAY ENCOUNTER INCLUDING ANY PERTAINING TO ACCESSIBILITY TO DATA, USE OF MEASUREMENT OR CONTAINMENT TECHNIQUES AND RESPONSES TO RECOMMENDATIONS.

-- THE RESULTS, RECOMMENDATIONS AND DETAILS IF ANY UNUSUAL PROBLEMS CONFRONTED DURING AN INSPECTION.

3. PER REF TELCON, WE ALSO REALIZE THAT PROCEDURES FOR RELEASE TO U.S. OF RESULTS OF THE RECENT IAEA INSPECTION OF ROC NUCLEAR FACILITIES ARE IN FINAL STAGES OF PREPARATION AND THAT IT IS ENVISIONED THAT THESE MIGHT HELP PROVIDE A USEFUL PRECEDENT FOR ISRAELI/EGYPTIAN SITUATIONS.

4. DEPARTMENT WOULD APPRECIATE OPPORTUNITY TO REVIEW ANY ADDITIONAL ROC MATERIAL IF POSSIBLE PRIOR TO ARRIVAL OF RIBICOFF/BAKER CODEL. KISSINGER

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